IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

C.R. No. 2617 of 2010 (O&M)
Date of decision : 23.4.2010

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The Karnal Improvement Trust, Karnal
.....Petitioner

vs.

Dev Dutt and others
.....Respondents

Coram: Hon'ble Mr. Justice K.C. Puri

Present: Sh. Mahavir Sandhu, Advocate
for the petitioner

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K.C. Puri, J. (Oral)

This is a revision petition against the order dated 23.2.2010, passed by Additional Civil Judge (Senior Division), Karnal, vide which the application under Order 6 Rule 17 CPC for seeking amendment in prayer clause of the suit has been allowed.

The plaintiffs filed a suit for declaration and injunction against the Improvement Trust and the Municipal Committee with the allegation that the land belong to proprietors of village and the mutation in respect of suit property in favour of Gram Panchayat, Municipal Committee and Karnal Improvement Trust, is wrong. By proposed amendment, they want to confine their prayer in respect of 10 Bighas of land in Khasra Number 9347.

The case is at initial stage. The evidence has yet not been started. The plaintiffs have restricted their claim in respect of 10 Bighas only, instead of whole of the suit land by amendment in prayer clause and trial Court has exercised its jurisdiction by allowing the amendment. I see no illegality in the impugned order.

So, no ground for interference is made out. Consequently, the petition stands dismissed.

(K.C. Puri)
Judge

23.4.2010
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